

REMARKS/ARGUMENTS

Applicants' representatives greatly appreciate the interview with the Examiner on May 24, 2005. Claims 25-36 remain pending in the present application. Claims 25-27 were withdrawn from consideration. Claims 28-36 have been rejected. Claim 28 has been amended. No new matter has been added. Applicants respectfully request withdrawal of all rejections upon reconsideration of the amendments and remarks.

Interview Summary

On May 24, 2005, Applicants' representatives held a telephonic interview with Examiner Vincent Q. Nguyen. Examiner Nguyen and Applicants' representatives discussed the general nature of the invention, and more specifically, the Borchardt et al. reference. Although no agreement was made concerning the scope Applicants' claims, Examiner Nguyen did suggest including functional language of a watt meter (or energy meter) to overcome the Office Action rejections.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 28-32, 35, and 36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 4,851,621 to Borchardt et al. ("Borchardt"). Claim 28 was amended to include two additional features suggested by the Examiner during the telephonic interview to advance patentability. Support for such amendments is found throughout the specification, but support for the amendments is specifically found, for example, on page 10, lines 16-29 of the originally submitted application. As a result, it is respectfully submitted that Borchardt fails to disclose or suggest "an actuator switch for use in an energy meter comprising: an inner actuator comprises ribs separated by at least one gap; and an outer housing comprises a locking-tab, the locking-tab interlocking with the at least one gap such that said inner actuator and said outer housing are enabled to move linearly together," as recited by Claim 28.

Based on the foregoing, Claim 28 should not be rejected as anticipated by Borchardt, and all claims dependent from Claim 28, including Claims 29-32, 35, and 36 should not be rejected as anticipated by Borchardt, and are thus patentable for at least the reasons set forth above. Therefore, withdrawal of the rejections of Claims 28-32, 35, and 36 under 35 U.S.C. § 102(b) is respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claim 33 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Borchardt. Claim 33 is dependent on Claim 28, and is thus patentable for at least the reasons set forth above. Withdrawal of the rejection of Claim 33 under 35 U.S.C. § 103(a) is respectfully requested.

Claim 34 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Borchardt in view of U.S. patent no. 5,949,038 to Amonett (“Amonett”). Claim 34 is dependent on Claim 28, and therefore, includes the features described above. Amonett fails to cure the deficiencies of Borchardt. Amonett merely describes an appliance timer with various components, but fails to disclose or suggest “an actuator switch **for use in an energy meter** comprising: an inner actuator comprises ribs separated by at least one gap; and an outer housing comprises a locking-tab, the locking-tab interlocking with the at least one gap **such that said inner actuator and said outer housing are enabled to move linearly together,**” as recited by the claims. Thus, Claim 34 is patentable for at least the reasons set forth above. Withdrawal of the rejection of Claim 34 under 35 U.S.C. § 103(a) is respectfully requested.

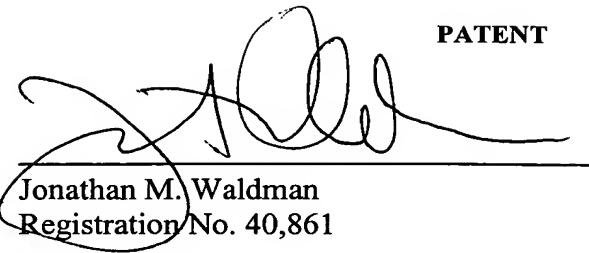
CONCLUSION

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Jonathan M. Waldman at (215) 568-3100, to discuss resolution of any remaining issues.

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PATENT



Jonathan M. Waldman
Registration No. 40,861

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439